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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,266	12/20/2001	Tomoki Shibasaki	980272A	4136
23850	7590	06/15/2005	EXAMINER	
ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP			YANG, LINA	
1725 K STREET, NW				
SUITE 1000			ART UNIT	
WASHINGTON, DC 20006			PAPER NUMBER	
			2665	

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/022,266

Applicant(s)

SHIBASAKI ET AL.

Examiner

Lina Yang

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 1997.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) 10-18 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 20 is/are allowed.
- 6) ☒ Claim(s) 1-2 and 19 is/are rejected.
- 7) ☒ Claim(s) 3-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/9/1997 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/20/2001</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-2 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Crisler et al. (U. S. Patent No. 5,481,537) in view of de Seze (U. S. Patent No. 5,894,472).

Regarding claim 1, Crisler teaches a data transmission method for transmitting data in a system ("communication system" in fig. 1) having a host apparatus ("base station 101") and at least one terminal apparatus ("communication unit 103" and "communication unit 105"), comprising the steps of:

forwarding a communication request ("reservation request") from the terminal apparatus ("communication unit 103") to the host apparatus ("base station 101") in response to the transmission request, the communication request ("reservation request") containing a timer value ("time slot") of a timer contained in the terminal apparatus ("communication unit") (fig. 2; col.3 lines 47-55); and

conducting polling ("reservation grant") from the host apparatus ("base station") to the terminal apparatus ("communication unit"), which has forwarded the communication request, according to an identification information (" slots 205 and 207") based on the received timer value (fig. 2; col. 3 lines 55-67; col.4 lines 1-12).

Crisler differs from the claimed invention in that Crisler does not specifically disclose the first step of forwarding a transmission request from the host apparatus ("base station 101") to the terminal apparatus ("communication unit 103"). However, it is well known in the art that the communication starts with the base station indicating to all of the associated mobile stations whether or not the shared traffic channel in the up direction is free. If it is free, then a mobile station, which wishes to transmit data to the base station, sends an access request over the shared traffic channel in the up direction. For example, de Seze discloses the first step of forwarding a transmission request from the host apparatus ("base station") to the terminal apparatus ("mobile station") (col. 2 lines 4-14). Therefore, it would have been obvious for one of ordinary skill in the art at the time when the invention was made to include the first step of forwarding a transmission request from the host apparatus ("base station 101") to the terminal apparatus ("communication unit 103") as taught by de Seze in the steps of Crisler in order to allocating the right to transmit data.

Regarding claims 2 and 19 (differs only by statutory classes), Crisler teaches a data transmission method for transmitting data in a system ("communication system" in fig. 1) having a host apparatus ("base station 101") and at least one terminal apparatus

("communication unit 103" and "communication unit 105") connected to the host apparatus ("base station"), comprising the steps of:

forwarding a communication request ("reservation request") from the terminal apparatus ("communication unit 103") to the host apparatus ("base station 101") corresponding to said transmission request, said communication request ("reservation request") including a timer value of a timer ("time slot") contained in the terminal apparatus ("communication unit 103") (fig. 2; col.3 lines 47-55);;

establishing an identification information (" slots 205 and 207") for the terminal apparatus ("communication unit 103"), which has forwarded the communication request ("reservation request"), according to the timer value ("time slot") contained in the communication request ("reservation request") when said host apparatus ("base station") receives the communication request ("reservation request") from the terminal apparatus ("communication unit 103") (col. 4 lines 9-12); and

conducting polling ("reservation grant") for transmitting data between the host apparatus ("base station 101") and the terminal apparatus ("communication unit 103") according to the identification information based on the timer value (fig. 2; col. 3 lines 55-67; col.4 lines 1-12).

Crisler differs from the claimed invention in that Crisler does not specifically disclose the first step of forwarding a transmission request from the host apparatus ("base station 101") to the terminal apparatus ("communication unit 103"). However, it is well known in the art that the communication starts with the base station indicating to all of the associated mobile stations whether or not the shared traffic channel in the up

direction is free. If it is free, then a mobile station, which wishes to transmit data to the base station, sends an access request over the shared traffic channel in the up direction. For example, de Seze discloses the first step of forwarding a transmission request from the host apparatus ("base station") to the terminal apparatus ("mobile station") (col. 2 lines 4-14). Therefore, it would have been obvious for one of ordinary skill in the art at the time when the invention was made to include the first step of forwarding a transmission request from the host apparatus ("base station 101") to the terminal apparatus ("communication unit 103") as taught by de Seze in the steps of Crisler in order to allocating the right to transmit data.

Allowable Subject Matter

2. Claims 3-9 are objected to as being dependent upon a rejected base claim 2, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

3. Claim 20 is allowable.

Claims 20 is allowable since prior art of record, dose not teach or suggest a data transmission system for transmitting data between a terminal apparatus and a host apparatus, said terminal apparatus comprising: a timer; a memory for storing a value of said timer when the terminal apparatus can communicate with the host apparatus; and a controller for forwarding a reply for a transmission request which is received from the host apparatus, said controller incorporating said timer value into the reply and

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forwarding it to the host apparatus; and said host apparatus comprising: a communication controller for forwarding the transmission request to said terminal apparatus and for receiving from said terminal apparatus the reply corresponding to the transmission request; an identification information establishing unit for extracting the timer value incorporated in the reply received by said communication controller from said terminal apparatus, and for establishing an identification information for the terminal apparatus according to the extracted timer value; and a polling unit for implementing polling to the terminal apparatus using the identifying information established by said identification information establishing unit.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lina Yang whose telephone number is (571)272-3151.

The examiner can normally be reached on 7:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571)272-3155. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LY

A handwritten signature in black ink, appearing to read 'Huy Vu', with a long horizontal line extending to the right.

HUY D. VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600